

FIRST REGULAR SESSION

HOUSE BILL NO. 731

91ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE BRITT.

Read 1st time February 8, 2001, and 1000 copies ordered printed.

TED WEDEL, Chief Clerk

1795L.021

AN ACT

To repeal section 577.021, RSMo 2000, relating to use of certain tests of blood alcohol content by law enforcement officers, and to enact in lieu thereof one new section relating to the same subject.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Section 577.021, RSMo 2000, is repealed and one new section enacted in lieu thereof, to be known as section 577.021, to read as follows:

577.021. A member of the state highway patrol **and any municipal or county law enforcement officer** may, prior to arrest, administer a chemical test to any person suspected of operating a motor vehicle in violation of section 577.010 or 577.012. A test administered pursuant to this section shall be admissible as evidence of probable cause to arrest and as exculpatory evidence, but shall not be admissible as evidence of blood alcohol content. The provisions of section 577.020 shall not apply to a test administered prior to arrest pursuant to this section.